

AMENDED IN SENATE MARCH 16, 2005

SENATE BILL

No. 21

Introduced by Senator Florez

December 6, 2004

~~An act to add Article 6 (commencing with Section 1249) to Chapter 1 of Part 2 of Division 2 of the Water Code, relating to water. An act to add Part 4.4 (commencing with Section 12060) to Division 6 of the Water Code, relating to water.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 21, as amended, Florez. ~~Central Valley Project water San Joaquin River restoration.~~

Under existing federal law, the federal Bureau of Reclamation operates the Central Valley Project *which includes facilities on or along the San Joaquin River*, and appropriates water for the beneficial uses of that project pursuant to permits granted by the State Water Resources Control Board and subject to specified state laws.

~~This bill would declare that the right to the use of any water appropriated pursuant to a permit or a license granted to the federal government in connection with its operation of the Central Valley Project shall be appurtenant to the lands irrigated with that water, and would prohibit the use of that water from being interrupted if it is applied to reasonable and beneficial use pursuant to a contract between a person or public agency and the federal government authorize the Secretary of the Resources Agency, upon appropriation of funds by the Legislature for that purpose, to undertake and participate in studies relating to restoration options for the San Joaquin River, including the reestablishment of an anadromous fishery.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. The Legislature finds and declares as follows:~~

SECTION 1. The Legislature finds and declares all of the following:

(a) More than 70 years ago, the Central Valley Project, including Friant Dam, was initiated by the people of California and the United States Bureau of Reclamation to provide water reliability to specific regions of the state.

(b) Since 1949, Friant Dam and the Friant-Kern and Madera Canals have transformed the central and southern San Joaquin Valley into a thriving and diversified economy benefitting well over one million residents.

(c) More than 80 percent of the workforce in the region has nonfarm related jobs in such industries as manufacturing, hospitality, transportation, and financial services.

(d) Water supplied by Friant Dam sustains approximately 30 cities and towns, supports 15,000 farm families, replenishes underground water supplies, and benefits the region's environment and ecosystem.

(e) In recent years the average snow pack in the Sierra Mountains has been well below average, resulting in an increased reliance on groundwater to replace the reduced supplies of surface water made available by Friant Dam.

(f) A 1997 economic study shows that an annual water supply reduction of 500,000 acre-feet would reduce the region's employment by 17,000 jobs, cut income by five hundred eighty-four million dollars (\$584,000,000), and retire 372,000 acres of farm land from production.

SEC. 2. Part 4.4 (commencing with Section 12060) is added to Division 6 of the Water Code, to read:

PART 4.4. SAN JOAQUIN RIVER RESTORATION

12060. The Secretary of the Resources Agency, upon appropriation of funds by the Legislature, may undertake and participate in studies relating to restoration options for the San Joaquin River, including, but not limited to, the reestablishment of an anadromous fishery. The studies shall include an analysis of the economic impacts associated with the restoration options,

1 *including funding sources for restoration and for mitigation of*
2 *expenses.*

3 ~~(a) The economy of the San Joaquin Valley has developed as~~
4 ~~a result of, and is dependent upon, the availability of water from~~
5 ~~the Friant Division of the Central Valley Project, which has been~~
6 ~~for more than four decades applied to reasonable and beneficial~~
7 ~~use for irrigation, municipal, and industrial purposes.~~

8 ~~(b) It is in the best interests of the people of the State of~~
9 ~~California to sustain the economy of the San Joaquin Valley~~
10 ~~through continued, uninterrupted access by farmers and cities to~~
11 ~~water from the Friant Division of the Central Valley Project.~~

12 ~~SEC. 2. Article 6 (commencing with Section 1249) is added~~
13 ~~to Chapter 1 of Part 2 of Division 2 of the Water Code, to read:~~

14
15 ~~Article 6. Central Valley Project Water~~
16

17 ~~1249. (a) The right to the use of any water appropriated~~
18 ~~pursuant to a permit or license granted to the federal government~~
19 ~~in connection with its operation of the Central Valley Project~~
20 ~~shall be appurtenant to the lands irrigated with that water, and the~~
21 ~~use of that water shall not be interrupted if it is applied to~~
22 ~~reasonable and beneficial use pursuant to a contract between a~~
23 ~~person or public agency and the federal government.~~

24 ~~(b) This section shall be carried out in a manner that is~~
25 ~~consistent with federal law.~~